

Serial No. 09/992,599
Attorney Docket No. D546
Firm Reference No. AMDSP0212USA

Reply to Office Action Dated March 12, 2004
Reply Dated March 25, 2004

REMARKS

Following entry of the above amendment, claims 2, 4, 5-9, 15-21 and 32-37 will be pending. Claims 1 and 3 have been cancelled without prejudice or disclaimer. Claims 32-35 and 37 have been rewritten in independent form including all the limitations of the base claim and any intervening claim(s). Claims 2, 5 and 36 have been amended to depend from allowable claims.

I. ALLOWABLE SUBJECT MATTER

Applicants acknowledge with appreciation the Examiner's indication that claims 4, 6, 8-9 and 15-21 are allowed. Allowable claims 32-35 and 37 have been rewritten in independent form including all the limitations of the base claim and any intervening claim(s). Therefore, claims 32-35 and 37 are believed to be in condition for allowance.

Claims 2, 5 and 36 have been amended to depend from allowable claims. Specifically, claim 2 has been amended to depend from claim 33. Claim 5 has been amended to depend from claim 34. Claim 36 has been amended to depend from claim 37. Therefore claims 2, 5 and 36 are allowable for at least the reasons for allowance of claims 33, 34 and 37 indicated by the Examiner in the Action. See, Action, pages 8-10. Claim 7 depends from claim 5 which depends from claim 34 as discussed above. Accordingly, claim 7 is allowable for at least the reasons for allowance of claims 5 and 34. Therefore, withdrawal of the rejections under 35 U.S.C. § 103(a) with regard to claims 2, 5, 7 and 36 is respectfully requested for at least the above reasons.

II. CONCLUSION

In light of the foregoing, it is respectfully submitted that the present application is in condition for allowance and notice to that effect is hereby requested. If it is determined that the application is not in condition for allowance, the Examiner is invited to initiate a telephone interview with the undersigned attorney to expedite prosecution of the present invention.

The Commissioner is authorized to charge \$430.00 to cover the fee for three additional claims identified on the attached Fee for Additional Claims Transmittal to our Deposit Account

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No. 18-0988; Our Order No. D546 (AMDSP0212USA). Any additional fee(s) resulting from this communication is hereby authorized to be charged to the above-identified deposit account.

Respectfully submitted,
RENNER, OTTO, BOISSELLE & SKLAR, LLP



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:

Applicant: Yedur et al.
 Serial No: 09/992,599
 Filing Date: 11/06/2001

Art Unit: 2863
 Examiner: John L. Le
 Confirmation No: 9923

Title: **TOPOGRAPHICALLY ALIGNED LAYERS AND METHOD FOR ADJUSTING THE RELATIVE ALIGNMENT OF LAYERS AND APPARATUS THEREFOR**

Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Sir:

Transmitted herewith is a Reply to Office Action Dated March 12, 2004, which contains additional claims, the fee for which is calculated as shown below.

Applicant is entitled to small entity status.

(Col. 1)		(Col. 2)		(Col. 3)	Small Entity		OR	Other Than Small Entity	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Addl. Fee		Rate	Addl. Fee
Total	20	Minus	20	0	\$9	\$		\$18	\$0.00
Indep.	11	Minus	6	5	\$43	\$		\$86	\$430.00
	First Presentation of Multiple Dep. Claim				\$145	\$		\$290	\$
	Late Filing of Declaration				\$65	\$		\$130	\$
					Total Fee	\$	OR	Total Fee	\$430.00

A check in the amount of \$430.00 is attached.

☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 18-0988.

☒ Any filing fees under 37 CFR 1.16 for the presentation of extra claims.

☒ Any patent application processing fees under 37 CFR 1.17.

Respectfully submitted,
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